

MINUTE ITEM

This Calendar Item No. C28 was approved as Minute Item No. 28 by the California State Lands Commission by a vote of 3 to 0 at its 4-17-06 meeting.

**CALENDAR ITEM
C28**

A 34

04/17/06

S 18

PRC 8324.2

N. Lee

CONTINUATION OF RENT

LESSEE:

Level 3 Communications, LLC

AREA, LAND TYPE, AND LOCATION:

0.47 acres, more or less, of State school land located in Section 36, Township 15 North, Range 7 East, SBM, near Silver Lake, San Bernardino County.

AUTHORIZED USE:

Continued use and maintenance of 12 existing uncased high-density polyethylene (HDPE) innerducts, one of which contains one fiber optic cable with approximately 144 fibers.

LEASE TERM:

Ten years, beginning April 1, 2001.

CONSIDERATION:

This lease provides that the Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease, and recommends that the rent be continued at \$426 per year, effective April 1, 2006.

OTHER PERTINENT INFORMATION:

1. On April 24, 2001, the Commission authorized a General Lease – Non-Exclusive Right Of Way Use to Level 3 Communications, LLC for a term of ten years. This lease will expire on March 31, 2011. The lease is for 12 existing uncased (HDPE) innerducts, one of which contains one fiber optic cable with approximately 144 fibers. These innerducts are installed underground and are part of a segment of a national long-haul transmission network for voice and data services.

CALENDAR ITEM NO. **C28** (CONT'D)

2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it is not a "project" as defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, sections 15060(c)(3) and 15378.

EXHIBIT:

- A. Location and Site Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

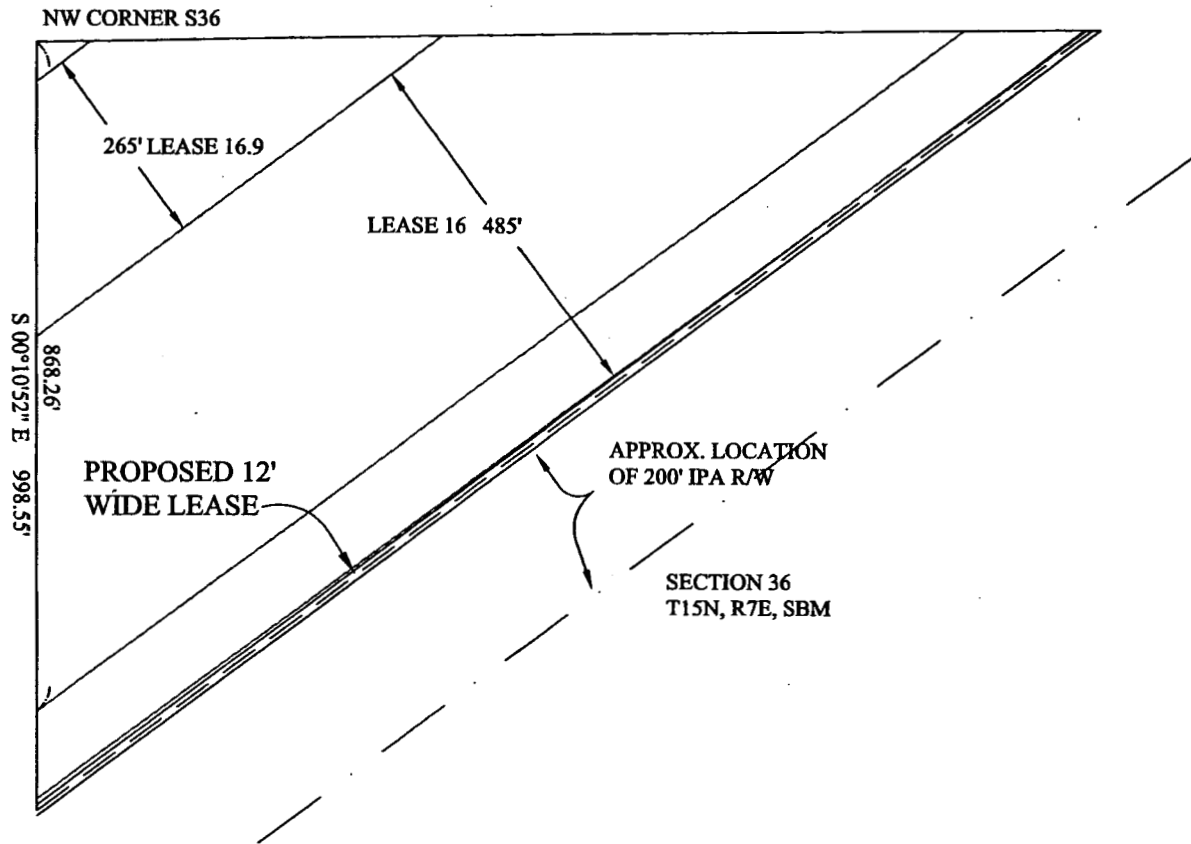
FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

AUTHORIZATION:

APPROVE THE CONTINUATION OF RENT FOR LEASE NO. PRC 8324.2 AT \$426 PER YEAR, EFFECTIVE APRIL 1, 2006.

NO SCALE

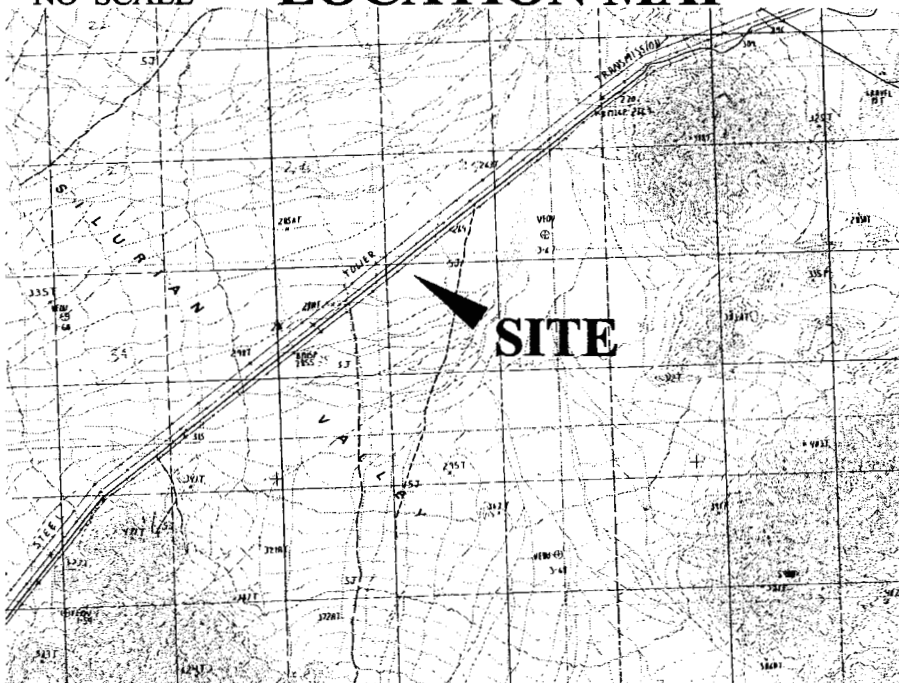
SITE MAP



Northwest 1/4 of Section 36, Township 15 North, Range 7 East, SBM

NO SCALE

LOCATION MAP



This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any state interest in the subject or any other property.

Exhibit A

PRC 8324.2

Level 3 Communication
School Lands

SAN BERNARDINO COUNTY



SSG 12/2000